

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

CHARLES H. BISHOP,

Plaintiff,

v.

LARRY CRAWFORD, et al.,

Defendants.

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No. 1:11-CV-11-SNLJ

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's pre-service motion to amend his complaint [Doc. #3].

Because a plaintiff may amend his complaint once as a matter of course before being served with a responsive pleading, the Court will grant plaintiff's motion.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to amend his complaint [Doc. #3] is **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff shall file an amended complaint within thirty (30) days from the date of this Order.<sup>1</sup> In the amended complaint, plaintiff shall complete in its entirety the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983. Specifically, in the "Caption" of the form complaint, plaintiff shall set forth the name of each defendant he wishes to sue; and in the "Statement of Claim," he shall set forth as to each named defendant the specific factual allegations supporting his claim against the particular defendant, as well as the specific rights that he claims the defendant violated. Plaintiff shall follow the

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<sup>1</sup>For his amended complaint, plaintiff shall use the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983.

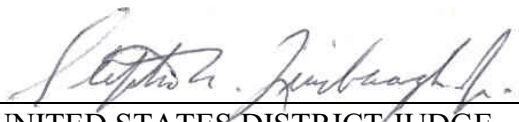
requirements set forth in Rules 8 and 10 of the Federal Rules of Civil Procedure when drafting his amended complaint.<sup>2</sup>

**IT IS FURTHER ORDERED** that the Clerk shall mail to plaintiff, in addition to a copy of this Order and Memorandum, the court-provided form for filing a complaint pursuant to 42 U.S.C. § 1983.

**IT IS FURTHER ORDERED** that plaintiff's failure to amend his complaint in accordance with this Court's instructions will result in the dismissal of this action, without prejudice.

**IT IS FURTHER ORDERED** that upon the filing of the amended complaint, the Clerk shall resubmit this action to the Court for review pursuant to 28 U.S.C. § 1915(e). Plaintiff is advised that the Court will consider only the amended complaint when reviewing this action under § 1915(e).

Dated this 18th Day of February, 2011.

  
UNITED STATES DISTRICT JUDGE

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<sup>2</sup>Rule 8(a) requires that a complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief, and . . . a demand for judgment for the relief the pleader seeks.” Rule 8(e) requires that “[e]ach averment of a pleading shall be simple, concise, and direct.” Rule 10(b) requires that “[a]ll averments of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances.”